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REPORT,

OF THE

Committee on the Public Lands,

TO WHOM WERE REFERRED,

ON THE THIRTIETH ULTIMO,

THE

PETITIONS

OF

JOHN FULTON AND CHARLOTTE HAZEN,

AND

ON THE FOURTH INSTANT,

THE

PETITIONS OF THOMAS AYERS,

AND OTHERS.

DECEMBER 7, 1809.

Considered, agreed to, and bill ordered.

DECEMBER 11, 1809.

Bill presented.

CITY OF WASHINGTON:

A. & G. WAY, PRINTERS.

1809.



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MAY 10 1933
REPORT.

The committee on the public lands, to whom were referred the several petitions of Thomas Ayres, Benjamin Reynolds, William Fulton, and Robert Sharp, of John Fulton, and of Charlotte Hazen, (claiming in right of her husband general Moses Hazen, deceased,)

REPORT.....

THAT it appears by the statement of the petitioners, that they were formerly inhabitants of the British provinces of Nova Scotia and Canada; that early in the revolutionary war they entered into the service of the United States; they claim compensation in consideration of the sufferings and hardships they endured, and the losses they sustained in consequence of their attachment to the interest of the United States. The committee are of opinion, that if in justice the petitioners are entitled to compensation, the provision under which it is made, ought to be of a general nature, so as to embrace all similar cases, and they are convinced that many such exist. Having a general provision in view, the committee think it proper to submit to the house, a reference to the several acts which have been passed,

and proceedings had, in relation to the refugees from Nova Scotia and Canada. It was resolved in congress on the 23d of April, 1783, that "whenever congress can consistently make grants of land, they will reward in this way, as far as may be consistent, the officers, men and other refugees from Canada."

On the 13th of April, 1785, a resolution nearly similar was passed, promising to provide for such refugees from Nova Scotia as may be disposed to live in the western country. Provision is made by an act approved April 7th, 1798, for satisfying the claims for lands under the resolutions above recited. The claimants are required to exhibit their claims within the term of two years after the passing of the said act, and the claims so exhibited are to be examined by the secretary of war, and the secretary and comptroller of the treasury, and a report by them made to congress of the quantity of land which in their opinion each claimant ought to have. And all claims not exhibited within the said term of two years, are declared to be forever after barred. By an act approved February 18th, 1801, six fractional townships are designated as set apart and reserved for the purpose of satisfying claims arising under the aforesaid act. The time for exhibiting claims was again extended two years by an act approved March 16th, 1804. It may be proper to state, that under the last mentioned act two reports were made to congress by the commissioners for examining

claims, and not finally acted on, in one of which the case of Mrs. Hazen, now referred to the committee, was favourably reported on.

From a view of the facts as here stated, and the consideration which the committee have been able to give the subject, they are of opinion, that in cases where it can with certainty be ascertained that services have been rendered under the circumstances contemplated by the foregoing resolutions, and no compensation made, neither the lapse of time nor the operation of an act of limitation ought to extinguish the gratitude of the government, nor absolve it from affording the promised reward to remunerate for the sacrifices of property and sufferings of those who generously aided in establishing the independence of the nation, and that by reviving the former law, with some additional restrictions, the public property will be secured against unjust claims.

Therefore,

Resolved, That the act, intituled "An act for the relief of the refugees from the British provinces of Canada and Nova Scotia," approved on the 7th of April, 1798, ought to be revived and continued in force for a limited time, provided that no claimant under said act, shall be entitled to receive a grant of any such lands until he produce satisfactory evidence that he is a resident within the United States.

